

reading as under the Constitution an amendment to it must be voted on by ayes and noes at each reading. Passed first reading unanimously.

Senate bill No. 31, making changes in session laws. Senator Waterhouse moved that Senate concur in House amendment. Carried.

House bill No. 39, defining perjury and subornation of perjury and to repeal Chapter 27 of the Penal Code, was read and passed first reading.

House bill No. 40, relating to vagrants, was taken up. Secretary Clay read the bill and rejoiced when he had passed that part referring to hooplopio, hooploana, hooploamama and anaana. It passed first reading.

House bill No. 43, relating to reapportionment of homesteads, was taken up for first reading and passed first reading, and under suspension of rules passed second reading.

Under suspension of the rules Senator Brown asked that the bills under the judiciary be read second time. Bill No. 35, relating to gross cheats, was first considered and passed second reading.

House bills Nos. 37, 38, 41, 39 and 40 passed second reading.

Senator Holstein asked that they be made special order of the day for Friday.

Recess until 1:30.

AFTERNOON SESSION.

On the opening of the afternoon session, House bill No. 45, relating to quarantine powers, was received and immediately taken up on first reading. Under suspension of the rules the bill came up on second reading, section by section.

The Attorney General said he did not want to rush the bill through the Senate until every member had full time for consideration. He explained that the bill followed almost exactly the regulations laid down by the United States, and was intended to strengthen the administrative powers of the Board of Health, and put the authorities of the country in a position to deal in a more intelligent manner with questions that may arise in connection with epidemics in foreign countries.

Section 1 makes it unlawful for any vessel or merchant ship from any foreign port to enter any port in the Hawaiian Islands except in accordance with the provisions of the Act or rules made under it by the Board of Health.

Section 2 requires any vessel clearing for an Hawaiian port to obtain from the Consul, Vice Consul or other consular officer of the Republic of Hawaii at the port of departure, or from the medical officer where such officer has been appointed by the President, a bill of health in duplicate, in the form prescribed by the Minister of Foreign Affairs, setting forth the sanitary history and condition of the vessel and that it has in all respects complied with the prescribed health regulations. The President is authorized to appoint a medical officer to serve in the office of the Consul at any foreign port, for the purpose of furnishing information and making the inspection and giving the required bills of health. Any vessel failing to comply with regulations is liable to forfeit not more than \$5,000 to the Republic of Hawaii.

Section 3 empowers the Minister of Foreign Affairs to make such rules and regulations affecting vessels, their passengers, crew and cargo, leaving foreign ports for Hawaii, as may be deemed necessary.

Section 4 provides for the Minister of Foreign Affairs making orders public, and prevents any vessel entering an Hawaiian port without having a certificate from the quarantine officer at the port of destination, showing that all regulations have been complied with.

Section 5. On arrival of an infected vessel at any port not provided with proper facilities for treatment of the same, the Port Collector or Health Officer of the port may remand said vessel, at its own expense, to the nearest quarantine station where accommodations and appliances are provided for the necessary disinfection and treatment of the vessel, crew, passengers and cargo; and after treatment of any infected vessel at a quarantine station, and after certificate shall have been given by the Health Officer at said station that the vessel, crew, cargo and passengers are each and all free from infectious disease, or danger of conveying the same, the said vessel shall be permitted to enter any port of the Hawaiian Islands named within the certificate.

Section 6. Whenever it shall be shown to the satisfaction of the President that by reason of any infectious or contagious disease in any foreign country there is serious danger of the introduction of the same into the Hawaiian Islands, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded in the interest of the public health, the President shall have the power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate, and for such period of time as he may deem necessary.

A new section was added: "This Act shall take effect on the date of approval."

The bill passed the second reading as a whole and was made the special order for third reading on Thursday.

Adjourned.

House of Representatives.

Ministers King, Cooper, Damon and Smith were present at the morning's session of the House.

Minister King reported the following Acts signed by the President:

1. An Act to amend Sections 2 and 3 of an Act entitled "An Act to regulate the issuing of patents," approved August 29, 1894, and to add two new sections to said Act, as amended by an Act entitled "An Act to amend an Act regulating the issuing of patents," approved the 23rd of June, 1888, to be called Sections 15 and 16.

2. Act relating to property of married women.

3. Act relating to larceny and amending the Penal Code.

4. Act relating to affray and amending the Penal Code.

Rep. Richards reported House bills Nos. 43, 44 and 45 typewritten and ready for third reading.

Rep. Rycroft presented the following report of the Select Committee appointed to consider House bill No. 9:

"Your Select Committee to whom was referred Senate bill No. 9, relating to internal taxes, having had the same under consideration, beg leave to report as follows:

"Without here stating our reasons we recommend that the following amendments be made:

"1st. That the title be amended to read as follows: 'An Act relating to Internal Taxes and to repeal Chapter LXI. of the Session Laws of 1892, relative thereto.'

"2d. That Section 2 be amended by inserting between the third and 4th paragraphs thereof a new paragraph to read as follows:

"March 31. All personal and dog taxes which shall remain unpaid on March thirty-first of each year, shall thereby and thereupon become delinquent, and ten per cent. of the amount thereof shall be added thereto and become due as a part thereof.

"3rd. That Section 13 be amended by inserting after the word 'dog' in the first line, the following words, 'that is liable to taxation under the provisions of this act.'

"4th. That the third paragraph of Section 17 be amended to read as follows: 'In inserting the aggregate value of each such enterprise for profit there shall be taken into consideration the net profits made by the same; also the gross receipts and actual running expenses; and where it is a company being a corporation whose stock is quoted in the market, the market price thereof; as well as all other facts and considerations which reasonably and fairly bear upon such valuation.'

"5th. That Section 19 be amended by inserting in the last line the word 'there' in place of the word 'one.'

"6th. That Section 68 be amended to read as follows:

"Section 68. If any of the property by this Act directed to be returned shall consist of real and personal property, or several classes or kinds or parcels of real or personal property, which are combined and made by the basis of an enterprise for profit, the person making the return shall give a detailed description of such property and state the aggregate value thereof, taking into consideration the net profits made by the same; also the gross receipts and actual running expenses; and where it is a company being a corporation whose stock is quoted in the market, the market price thereof; as well as all other facts and considerations which reasonably and fairly bear upon such valuation.

"He shall state what, if any, the net profits as well as the gross proceeds and actual running expenses of such enterprise have been during the twelve months next preceding; and, if known, what sale or sales of stock or other interest in such enterprise have taken place during the twelve months next preceding, giving the name of the person selling, the person buying, the number of shares or proportion of interest sold upon each sale; and, when known, the purchase thereof.

"7th. That Sections 82 to 85 inclusive be struck out.

"8th. That Section 93 be amended by striking out of the 4th and 5th lines the following words, 'and all other laws and parts of laws inconsistent with this Act.'

"9th. That Section 97 be amended by striking out of the third line the numbers 82, 83, 84 and 85.

"10th. With these amendments we recommend the bill pass."

R. RYCROFT,
A. G. M. ROBERTSON,
E. C. WINSTON,
S. KAELO,
E. E. RICHARDS.

Report laid on the table to be considered with the bill.

Rep. Robertson presented the following report of the Judiciary Committee on House bill No. 30, relating to foot-binding:

"We recommend that the bill pass with the following amendment:

"Sec. 1—Lines 4 and 5. Strike out the words 'or by both fine and imprisonment.'"

Minister Smith presented the following answers to questions propounded by Rep. Rycroft in regard to cost of lunas, guards and maintaining prisoners while working on the Puna road, as submitted by the Sheriff of Hawaii:

"For jailors and guards for the months of February and October, 1895, inclusive, \$1,637.50.

"For provisions, medical treatment and sundries, \$2,560.83.

"Total cost, \$4,198.33.

"Total number of days' labor performed by prisoners, 12,100.

"The above does not include the salaries paid to the prison lunas who worked the men at their daily tasks, as the salaries of such lunas were not paid by the Police Department."

Minister Smith moved that House bill No. 45, relating to quarantine regulations, be taken up in third reading.

Rep. Robertson moved that the Tax Bill be taken up. Since there was to be no extension of time given to the Legislature he would rather see the Tax Bill disposed of than the one relating to quarantine regulations.

House bill No. 45 taken up in third reading and passed unanimously.

House bills Nos. 44 and 43 taken up in third reading and passed unanimously.

In Sec. 1 of House bill No. 43, relating to larceny and gross cheat, the Representatives and the Ministers got into a little trouble about whether "and" should be "out" or vice versa or whether a comma, period, dash or exclamation point should be after, before or on both sides of the word chosen as most suitable. One of the members suggested under the breath that the Ministers take heads and the Representatives take what remained—tails. The matter was adjusted and the bill passed with everyone rested.

House bill No. 12, relating to land deleterious to public health, taken up

for consideration in second reading, section by section.

The discussion bore upon Section 3. Ministers Smith, Cooper and Rep. Richards contending that the powers given to the Board of Health in that section, were no more than those given other bodies of the land in other countries. Eliminating the section would practically kill the bill.

Rep. Robertson and others contended that the section gave too much power to the Board of Health.

At 12:15 House adjourned until 1:30 p. m.

AFTERNOON SESSION.

Section 3 of the bill on land deleterious to public health brought up again for discussion.

Rep. Robertson—No one will deny that the Board of Health should have full, ample and sometimes arbitrary power. There must, however, be some limit to the powers given the Board. Their powers must not be absolute. I do not wish to deny the necessity of giving the Board the power of coping with public dangers. The Act before the House, however, goes further than it should. The Attorney General has contended that the Board is using as arbitrary powers as those provided for by the proposed law. The sections in the existing law already read by him regarding that point do not seem to prove his statement.

Rep. Robertson (continuing)—The present bill simply shuts a man out of the right of appeal and makes it a plain case of the Board of Health vs. the landowner, in which the Board has final and conclusive power to try its own case. That the Board is working in the interests of the public health does not change the matter in the least. It is true that the present Board of Health is a good one, but we cannot be assured of always having a good one. At any rate, I think as Rep. Kamaooha does, that wherever great power is given there is always a tendency to usurpation and stretching that power to the utmost.

If the section is passed, the Board of Health can step in, in any case, and say that certain land is deleterious to the public health. That settles matters. The Minister of the Interior tells the landowner that he must comply with the action of the Board of Health and remove the nuisance within the space of thirty days. If he refuses to do this, the Government comes in and does the work. A lien is placed upon the land which can be foreclosed after a certain length of time if the landowner does not pay expenses. The land is sold at auction and the Government deducts the amount for expenses from the sum received, and the landowner gets what's left. During all these proceedings the landowner must be perfectly mute and unable to lift a finger or say a word in his own defense. It is true, the landowner may come before the Board to state his case, but that body is not forced to listen to him. I tell you we cannot afford to give this branch of the Government any such power.

The Minister of Foreign Affairs has stated that if Section 3 is knocked out, the remaining sections will not be worth the paper upon which they are written. I submit that there will be left enough power to the Board of Health without Section 3.

The only difference is that if the landowner should deny the allegations made by the Board of Health, he has a chance to defend himself. When the Government comes in with its workers to make certain improvements, he has a chance to assert his rights. If he denies that his land is in a deleterious condition, the Government will have to prove that it is before proceeding any further.

In my mind this is not as a cholera epidemic or the black plague, which must be acted upon summarily, and therefore it should not be in their power to do as proposed in Section 3 of this Act. I move that Section 3 be struck out. Carried.

Minister Cooper—Mr. Speaker, I move that the consideration of the remainder of the bill be indefinitely postponed. The Government does not wish to have it go on the law books in its present form.

Rep. Winston—Is it not barely possible that some other people may want to have it go into effect.

Rep. Rycroft—If it is true, as Rep. Robertson says, that the bill would give the Board of Health ample power without Section 3, then I see no reason why it should not be further considered.

Minister Cooper—It is nonsense to go on with it in its present form.

Rep. Robertson—Kokua! Strike it out! Save time!

Motion carried.

Senate bill No. 9, relating to taxes, brought up for consideration.

Section 7, relating to poll and school taxes, provoked a great deal of discussion.

Rep. Bond proposed an amendment and Rep. Kamaooha objected, saying it was too long and cumbersome.

Rep. Kamaooha continued, saying that the amendment introduced by the Senate was a good one in that it gave a man the option of paying his taxes or working them out on the road. Section passed with Senate amendments.

After reading the section regarding the tax on dogs, Rep. Kamaooha asked the Minister of Finance the reason for taxing female dogs more than male dogs.

Minister Damon—In all countries in which sheep are raised they are subject to a great deal of irritation by the ravages of dogs. In Maui a sheep ranch was completely ruined by dogs. The object of the difference in tax is to prevent breeding.

Rep. Kamaooha—All dogs should be taxed alike. Now, then, there are no sheep in Puna, but in that lonely, desolate region a dog is a great deal of company, and again they are useful in hunting down wild dogs at that place. Then again a good dog is a terror to a chicken thief.

Reps. Robertson and Rycroft were in favor of the section as in the bill. Rep. Robertson said that dogs were a horrible nuisance to all but their owners.

Rep. Kamaooha's motion to have all dogs taxed alike was lost, and the section passed as in the bill.

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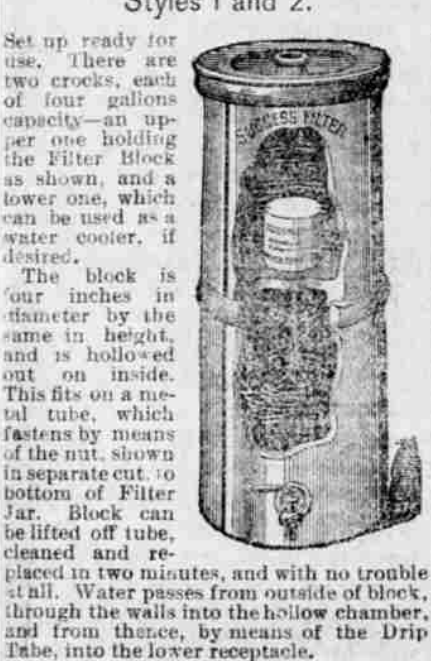
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Paid-up Capital, £87,500 0 0

2—Fire Funds, £2,410,992 7 3

3—Life and Annuity Funds, £8,572,525 14 11

£11,671,018 2s. 2d.

Revenue Fire Branch, £1,546,856 18 7

Revenue Life and Annuity Branches, £1,350,821 16 9

£2,906,678 15 4

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